

**FILED**

**BOARD OF PHYSICAL THERAPY**

**AUG 25 2009**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PHYSICAL THERAPY  
EXAMINERS

IN THE MATTER OF THE  
SUSPENSION OR REVOCATION OF  
THE LICENSE OF

ALEXANDER KADE, P.T.  
LICENSE NO. 40QA1004800

TO PRACTICE PHYSICAL THERAPY  
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE

This matter came before the New Jersey State Board of Physical Therapy Examiners upon information that the respondent has failed to complete a total of thirty (30) credits of continuing education in approved physical therapy courses during the period of February 1, 2006 through January 31, 2008, as required for the 2008-2010 biennial license renewal pursuant to N.J.S.A. 45:9-37.18 (a) 10 and N.J.A.C. 13:39A-9.1 et. seq. Based upon information received and which the Board has reviewed, the following preliminary findings are made

#### FINDINGS OF FACT

1. Respondent is a physical therapist in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On December 9, 2007, the respondent submitted his completed application for renewal of license as a physical therapist in the State of New Jersey.

3. The respondent affirmed on the renewal application for the 2008- 2010 renewal period that he will have completed the required continuing education by the period preceding the established renewal date of February 1, 2008.

4. On April 25, 2008, the Board of Physical Therapy Examiners initiated a random audit of renewal applications for the 2008-2010 period, asking licensees to submit proof with regard to the satisfaction of continuing education requirements for the biennial renewal period, i.e., thirty (30) credit approved hours. The audit letter was sent by certified mail, return receipt requested to the respondent's address of record and was received by the respondent on April 29, 2008.

5. Respondent submitted correspondence to the Board dated May 12, 2008 in response to the Board's audit, indicating that he had completed thirty-one (31) continuing education requirements within the biennial renewal period. Specifically, respondent submitted certificates indicating that he completed the following courses: "Reiki I Degree in the Usui System of Natural Healing," at the New York Awareness Center on February 24, 2006, for six and a half (6.5) continuing education credits; "Reiki Second II Degree in the Usui System of Natural Healing" on April 22, 2006, for six and a half (6.5) continuing education credits; "Reiki III/Master Training" on September 29, 2006, for ten (10) continuing education credits; and "Sekhem Seichim SSR Egyptian Reiki" on October 27, 2007, for eight (8) continuing education credits. Also enclosed with the certifications were course outlines for each of the aforementioned courses and a biography of the spiritual teacher and certified instructor, Morrin Bass. Respondent declined to include the curriculum vitae of the lecturer. Upon review of this information, the Board determined that the courses for which respondent submitted certificates of completion did not satisfy the required continuing education credits within the biennial renewal period.

### CONCLUSION OF LAW

Respondent has not satisfied the requirements of N.J.S.A. 45:9-37.18 (a) 10 and N.J.A.C. 13:39A-9.1 et. seq. with regard to the completion of the appropriate number of approved continuing education credit hours and is therefore subject to sanctions pursuant to N.J.S.A. 45:1-21(h), failure to comply with the provisions of an act or regulation administered by the Board, which constitutes grounds for suspension or revocation of any certificate, registration or license, and grounds for sanction pursuant to N.J.S.A. 45:1-25.

### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline requiring respondent to pay a civil penalty of one thousand dollars (\$1,000.00) for violation of the above regulations was entered on July 14, 2009, and a copy was served on and received by the respondent on July 22, 2009. The Provisional Order also stated that respondent's license would be suspended by Final Order in the event that respondent failed to submit proof of having completed the requisite thirty (30) hours of continuing education credits within thirty (30) days of the Final Order. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Finding of Fact and Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

On July 23, 2009, the Board received correspondence from the respondent explaining that the instructor for the abovementioned courses does not maintain an official curriculum vitae.

Respondent acknowledged that the information which he previously submitted was insufficient as proof of the educational status of the instructor. Respondent agreed to the Provisional Order of Discipline and submitted a certified check of one thousand dollars (\$1,000.00). Additionally, the respondent submitted a list of courses he would complete in the next thirty days in order to satisfy the thirty (30) credits of continuing education for the period of February 1, 2006 through January 31, 2008

Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board finds that respondent has failed to complete thirty (30) continuing education credits, as required for the 2008-2010 biennial license renewal pursuant to N.J.S.A. 45:9-37.18 (a) 10 and N.J.A.C. 13:39A-9.1 et. seq. . The Board requires that respondent provide further documentation indicating completion of the thirty (30) credits. The Board affirmed its previous determination temporarily suspending respondent's license in the event that respondent fails to submit proof of having completed the requisite thirty (30) hours of continuing education credits within thirty (30) days of the date of receipt of the Final Order.

**THEREFORE, IT IS ON THIS** 25<sup>th</sup> **DAY OF** August , 2009,

**ORDERED:**

1. Respondent must submit proof of having completed the requisite thirty (30) hours of continuing education credits within thirty (30) days of the date of the receipt of the Final Order. **These continuing education credits are NOT to be used to renew respondent's license for the 2010-2012 renewal period.**

2. In the event that respondent fails to present the proofs as required by paragraph #1, by the

date provided, the license of respondent shall be suspended, by operation of the Final Order, and shall remain suspended until respondent submits proof that he has fully complied with all continuing education requirements.

3. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, and upon review of the record, the Board shall not be limited to the findings of facts and conclusions of law and sanctions herein.

4. The Board acknowledges receipt of Respondent's payment in full of the \$1000.00 civil penalty issued in this matter.

NEW JERSEY STATE BOARD  
OF PHYSICAL THERAPY EXAMINERS

By: Karen Wilk, P.T., D.P.T. 400400560100  
Karen Wilk, P.T., D.P.T.  
Chair